

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101
Prepared by Roberta Moore, Planner I

SUBJECT: Resolution
DG 6-2-03 Falcon's Lea Park, 14900 Stirling Road / Generally located on the southeast side of Stirling Road and Falcon's Lea Drive.

AFFECTED DISTRICT: District 4

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE NON-VEHICULAR ACCESS LINE OF THE "FALCON'S LEA" PLAT AND AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Petitioner is requesting to amend the Non-Vehicular Access Line on the "Falcon's Lea" Plat along Stirling Road and SW 148 Street. The petitioner is also requesting to amend the Restrictive Plat Note to add 4,400 square feet of community center and a park on Tract 'B', a fire station and 3,600 square feet of community center on Tract 'C'.

The applicant is requesting to amend the Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from Stirling Road; to permit access on SW 148 Street to the existing fire station for Emergency Vehicles Only; to allow the use of the existing fire station; to allow 3,600 square feet of an existing community center and to allow 4,400 square feet of a proposed community center and a park.

Previously Town Council and Broward County Commission approved a plat note amendment to allow a fire station and access to SW 148 Street for Emergency Vehicles Only, however, this plat note amendment was not recorded.

Presently, the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue located in the Falcon's Lea residential community. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The applicant would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance on Stirling Road. Thus, it will no longer be necessary for the public to travel through the adjacent residential community to access the park.

It is Staff's understanding that Broward County has no objection to the requested amendment.

Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

PREVIOUS ACTIONS: None

CONCURRENCES: None

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Resolution, Planning Report, Justification, Plat, Future Land Use Map, Subject Site, Zoning and Aerial Map

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE NON-VEHICULAR ACCESS LINE OF THE "FALCON'S LEA" PLAT AND AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "FALCON'S LEA" PLAT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subdivision plat known as the "Falcon's Lea" Plat was recorded in the public records of Broward County in Plat Book 128, Page 6; and

WHEREAS, the owners desire to amend the Non-Vehicular Access Line associated with said plat; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the Non-Vehicular Access Line and the Restrictive Note shown on the "Falcon's Lea" Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2003.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003.

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

<u>Owner:</u>		<u>Agent:</u>	
Name:	Town of Davie	Name:	Town of Davie
Address:	6591 Orange Drive	Address:	6591 Orange Drive
City:	Davie, FL 33314	City:	Davie, FL 33314
Phone:	(954) 797-1000	Phone:	(954) 797-1000

BACKGROUND INFORMATION

Application History: No deferrals have been requested.

Application Request: Petitioner is requesting to amend the Non-Vehicular Access Line on the "Falcon's Lea" Plat to allow access on SW 148 Street for Emergency Vehicles Only and to allow access on Stirling Road; to allow the existing fire station use; to allow the existing 3,600 square feet of community center use; to allow a proposed 3,900 square feet community center and a proposed park.

From: "This plat is restricted to 224 single family units, 210 townhouses and 40,000 square feet of commercial uses (convenience stores, fast food restaurants and service stations are excluded without approval by the County Commission)."

To: "This plat is restricted to 224 single family units, 210 townhouses, 40,000 square feet of commercial uses, 4,400 square feet of community center and a park on Tract 'B', fire station and 3,600 square feet of community center on Tract 'C'."

Address/Location: 14900 Stirling Road/ Generally located on the southeast side of Stirling Road and Falcon's Lea Drive.

Future Land Use Plan Designation: Residential (5 DU/AC)

Zoning: PUD - 5, Planned Unit Development

Existing Use: Fire Station and Vacant

Proposed Use: Town park and community center

Parcel Size: 3.80 acres (165,678.90 square feet)

Surrounding Uses:

North: Residential (Waterford Patio Homes)
South: Residential (Falcon's Lea)
East: Town of Davie Fire Station
West: Residential (Falcon's Lea)

Land Use Plan Designation:

Residential (PUD County)
Residential (5 DU/AC)
Residential (5 DU/AC)
Residential (5 DU/AC)

Surrounding Zoning:

North: CC, Commerce Center District
South: PUD - 5 (County)
East: PUD - 5 (County)
West: PUD - 5 (County)

ZONING HISTORY

Related Zoning History: None

Previous Request on same property: On August 10, 2000 a Master Site Plan (MSP 8-1-00) was submitted for the construction of 38 townhomes. This application was withdrawn on January 1, 2001. The Town of Davie purchased the property for a park on January 16, 2002.

APPLICATION DETAILS

Petitioner is requesting to amend the Non-Vehicular Access Line to allow access on Stirling Road. The Access Note will be changed to reflect the access easement on Stirling Road. The Restricting Note shall be changed **from:** "A 24' access Easement shall be provided from Falcons Gate Avenue through Tract "B" to Tract "C" at a location that is acceptable to Broward County Engineering and Broward County Traffic Engineering Division. Said location and dedication must be accomplished prior to site plan approval for either Tract "B" or "C"."; **to:** "This plat is restricted to 224 single family units, 210 townhouses, 40,000 square feet of commercial uses, Tract 'B' to 4,400 square feet of community center and a park, Tract 'C' to a fire station and 3,600 square feet of community center. "

Applicable Codes and Ordinances

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

The Broward County Land Development Code requires Delegation Requests for plat note revisions.

Significant Development Review Agency Comments

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved

development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 1. This Planning Area constitutes the southwesternmost portion of the Town, encompassing all of the land south of Griffin Road and west of Southwest 148 Avenue. This planning area is bisected by I-75 which is accessed at Griffin Road and Sheridan Street. The Ivanhoe development constitutes most of this planning area, which is essentially programmed for low intensity (3 dwellings per acre) residential development. There are parcels designated for commercial use located at the northern and southern ends of the Ivanhoe development at the intersections of I-75 with Sheridan and Griffin Roads, and Orange Drive.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 117.

Broward County Land Development Code: The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

Applicable Goals, Objectives & Policies: The proposed plat is generally consistent with the goals, objectives and policies of the Comprehensive Plan.

Staff Analysis/Findings of Fact

The applicant is requesting to amend the Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from Stirling Road; to permit access on SW 148 Street to the existing fire station for Emergency Vehicles Only; to allow the use of the existing fire station; to allow 3,600 square feet of existing community centers and to allow 4,400 square feet of proposed community center and a park.

Previously Town Council and Broward County Commission approved a plat note amendment to allow a fire station and access to SW 148 Street for Emergency Vehicles Only, however, this plat note amendment was not recorded.

Presently, the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue located in the Falcon's Lea residential community. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The applicant would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance on Stirling Road. Thus, it will no longer be necessary for the public to travel through the adjacent residential community to access the park.

The applicant is requesting to amend the Non-Vehicular Access Line on the "Falcon's Lea" Plat along Stirling Road and along SW 148 Street and is requesting to amend the restrictive plat note to add 4,400 square feet of community center and a park on Tract 'B', a fire station and 3,600 square feet of community center on Tract 'C'. The applicant is requesting the restrictive note to be changed to read:

"This plat is restricted to 224 single family units, 210 townhouses, 40,000 square feet of commercial uses, 4,400 square feet of community center and a park on Tract 'B', fire station and 3,600 square feet of community center on Tract 'C'."

It is Staff's understanding that Broward County has no objection to the requested amendment. Staff finds that the proposed amendment is consistent with the existing and proposed use of the subject site.

Staff Recommendation

Recommendation: Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Exhibits

1. Resolution
2. Justification letter
3. Plat
4. Future Land Use Map
5. Subject Site, Zoning and Aerial Map

Prepared by: _____

Reviewed by: _____



Administration: (954) 797-1030
Administrative Services: (954) 797-1020
Budget & Finance: (954) 797-1050
Parks & Recreation: (954) 797-1145
Development Services: (954) 797-1111

Engineering: (954) 797-1113
Fire Department: (954) 797-1090
Police Department: (954) 693-8200
Public Works: (954) 797-1240
Utilities: (954) 433-4000

TOWN OF DAVIE 6591 Orange Drive • Davie, Florida 33314-3399

(954) 797-1000

TO: Mayor and Town Council

THROUGH: Bruce Bernard *BB*
Public Works / Capital Projects Director

THROUGH: Thomas J. Willi *TJW*
Town Administrator

FROM: Cheryl Dolin, R.A. *CD*
Project Manager, Capital Projects

DATE: June 4, 2003

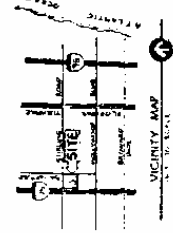
SUBJECT: Delegation Request for Falcon's Lea Park

Town of Davie Staff are requesting Town Council to authorize the Town Administrator to make an application to the County for a Delegation Request to amend the platted Non-Vehicular Access Line (NVAL) to permit a new entrance drive into the Falcon's Lea Park property from Stirling Road. Currently the access to the Ivanhoe Fire Station and Community Center is off of Falcon's Gate Avenue. The Town of Davie has recently acquired the property adjacent to the Ivanhoe site for the development of Falcon's Lea Park. The Town would like to demolish the existing entrance from Falcon's Gate Avenue and replace it with a new entrance off Stirling Road, thereby no longer necessitating that the public go through the adjacent residential community in order to access the park.

An Equal Opportunity Employer

FOR MORE INFORMATION PLEASE CALL (800) 321-4804
OR (714) 771-2121, INT. 588

PLAT BOOK PAGE 6
SHEET 1 OF 5

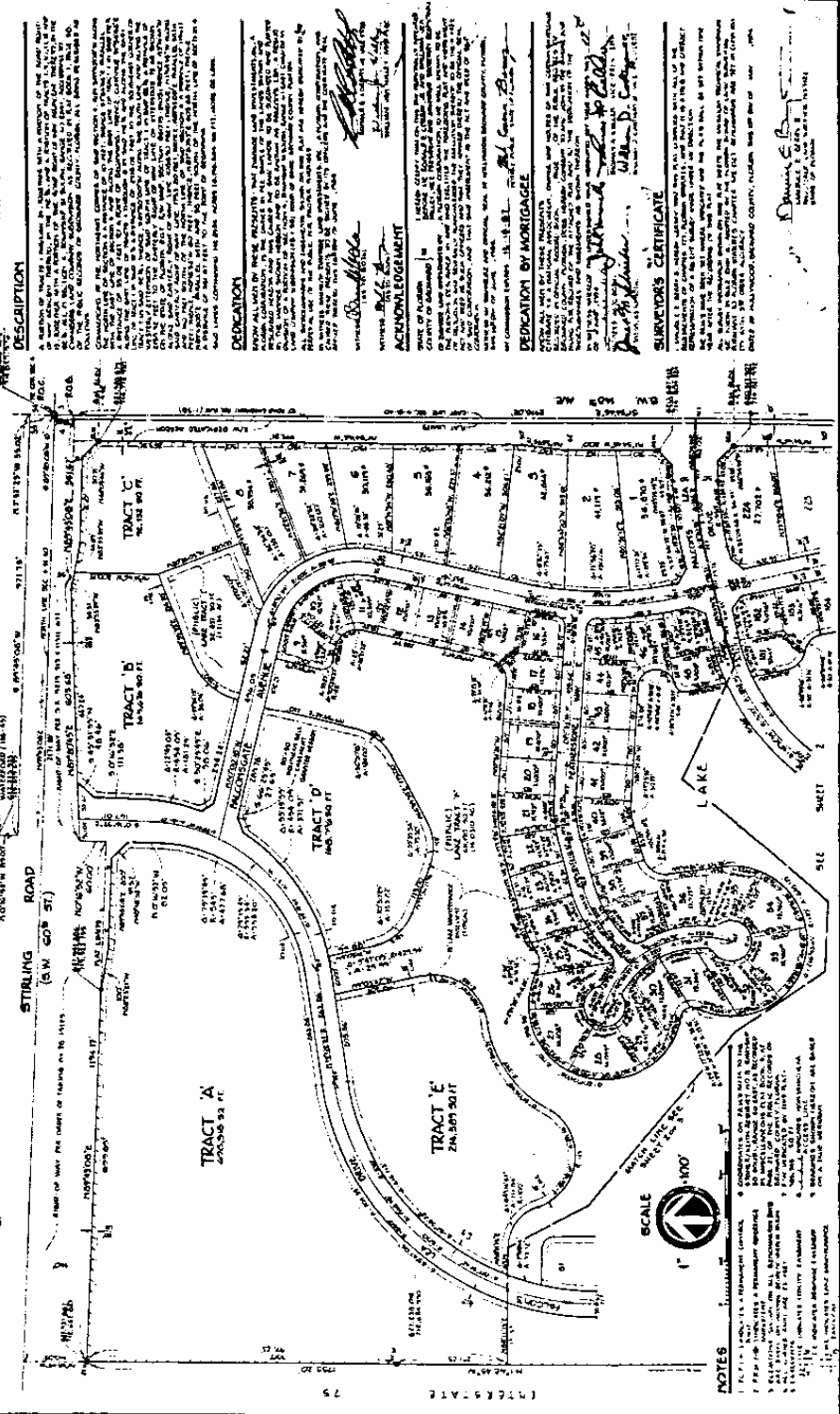


FALCON'S LEA

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-58), TOWN OF DAVIE, BROWARD COUNTY, FLORIDA
BERRY, CALVIN, BROOME & FARINA • ENGINEERS & SURVEYORS • HOLLYWOOD, FLORIDA •

ACCESS NOTE
ALL ACCESS EASEMENTS SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE DEED OF CONVEYANCE AND THE RECORDING OF THE DEED OF CONVEYANCE IN THE PUBLIC RECORDS OF THE COUNTY OF BROWARD, FLORIDA.

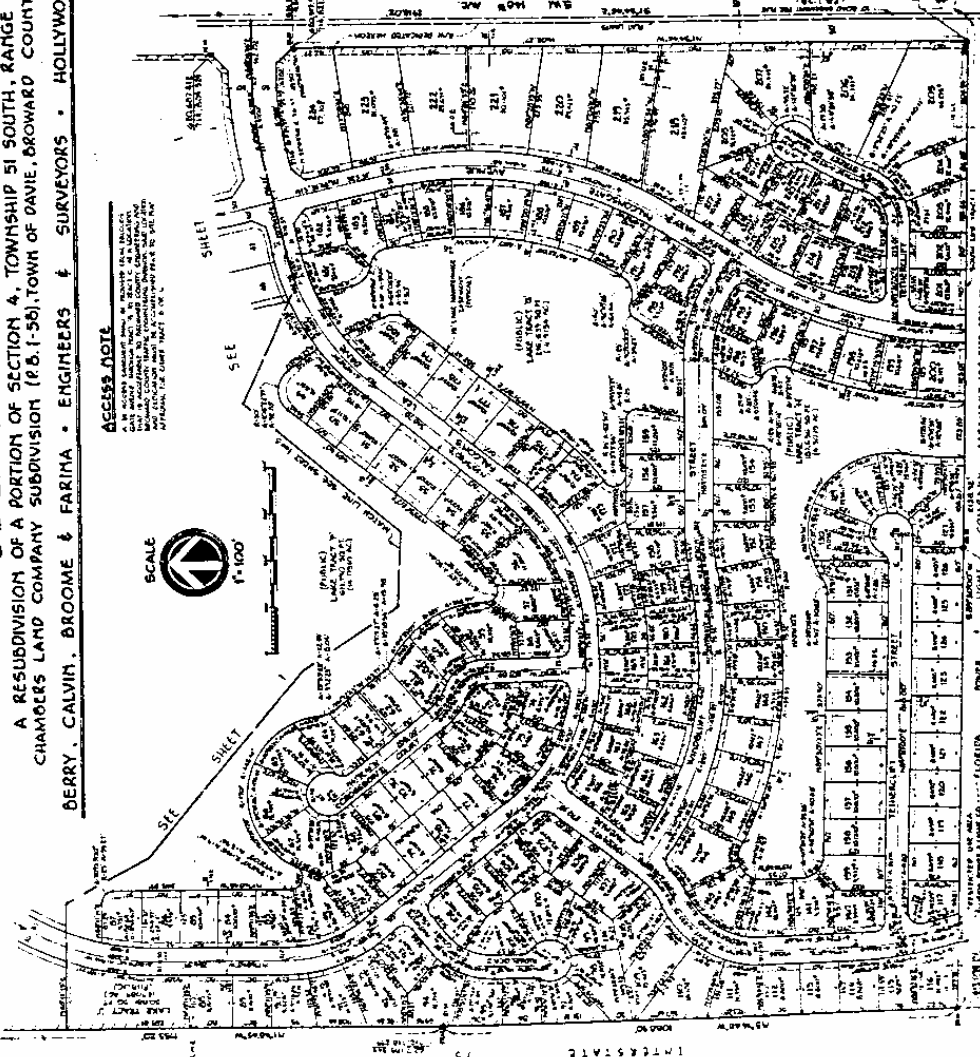
RESTRICTIONS NOTE
THIS PLAT IS SUBJECT TO THE RESTRICTIONS AND COVENANTS SET FORTH IN THE DEED OF CONVEYANCE AND THE RECORDING OF THE DEED OF CONVEYANCE IN THE PUBLIC RECORDS OF THE COUNTY OF BROWARD, FLORIDA.



FALCON'S LEA

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-56), TOWN OF DAVIE, BROWARD COUNTY, FLORIDA

RESTRICTING NOTE



BROWARD COUNTY OFFICE OF PLANNING
THIS PLAN IS APPROVED AND ACCEPTED FOR RECORD THIS 10 DAY OF

[illegible]

ACKNOWLEDGMENT

WEEDON CLARK, Head of the Police
STAT. OF NEW YORK
COUNTY OF NEW YORK
ACCORDING TO THE
AND THE
OF THE PROBATION DEPARTMENT
NEW YORK, N.Y.
JAN 10 1964
BY COMMISSIONER SPARKS

Joseph J. Sparks

JAN 11 1964
 JAN 11 1964
 BROWARD COUNTY PLANNING COUNCIL
 THIS IS TO CERTIFY THAT THE BROWARD COUNTY PLANNING COUNCIL HAS
 APPROVED THIS PLAT WITH REGARD TO REMOVAL OF
 402 TRAFFICWAYS BY RESOLUTION DULY ADOPTED ON MAY 14
 JANUARY, 1964
 [Signature]
 CHAIRMAN

BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES
DEPARTMENT - COUNTY RECORDS DIVISION - MINUTES SECTION

THIS IS TO CERTIFY THAT THIS PAGE COINCIDES WITH THE MINUTES OF CHURCH
ST. FLORIAN 5/11/75, AND WAS ACCEPTED FOR RECORD BY ONE OF
COMMISSIONERS OF BROWARD COUNTY, FLORIDA. THIS IS AN OFFICIAL
PAGE.

Edna M. Thompson
SECRETARY

ATTEST: A. J. FORDHAM

BY _____ COUNTY ADMINISTRATOR
BROWARD COUNTY FINANCE AND ADMINISTRATIVE SERVICES
DEPARTMENT-COUNTY RECORDS DIVISION-RECORDING SECTION
THIS INSTRUMENT WAS FILED FOR RECORDING ON 10/26/2016
AND RETURNED TO PART B FOR FILING AT 1:00 PM ON 10/26/2016
BY _____ COUNTY ADMINISTRATOR

BROWARD COUNTY ENGINEERING DIVISION

THIS PLAN IS APPROVED AND ACCEPTED FOR RECORD

James A. Caldwell *James A. Caldwell*
SEAL OF ENGINEER
COUNTY ENGINEER
BROWARD COUNTY, FLORIDA
APPROVED BY ENGINEER
APPROVED BY ENGINEER
APPROVED BY ENGINEER

FALCON'S LEA

A RESUBDIVISION OF A PORTION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 40 EAST,
CHAMBERS LAND COMPANY SUBDIVISION (P.B. 1-56), TOWN OF DAVID, BROWARD COUNTY, FLORIDA
BERRY, CALVIN, BROOME & FARINA • ENGINEERS & SURVEYORS • HOLLYWOOD, FLORIDA

TOWN PLANNING AND ZONING BOARD

HAS TO CERTIFY THAT THE PLANNING AND ZONING BOARD OF THE TOWN OF DAVID, BROWARD COUNTY, FLORIDA, HAS APPROVED AND ACCEPTED THE ATTACHED PLAN.

[Signature]
CHAIRMAN

DATE

TOWN COUNCIL

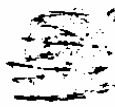
HAS TO CERTIFY THAT THIS PLAN HAS BEEN APPROVED AND ACCEPTED BY THE TOWN COUNCIL OF THE TOWN OF DAVID, BROWARD COUNTY, FLORIDA, AND THAT BY SAID RESOLUTION THE EXPENSES AND INCORPORABLE AMOUNT OF THIS PLAN WERE INCURRED IN THE NAME OF SAID TOWN.

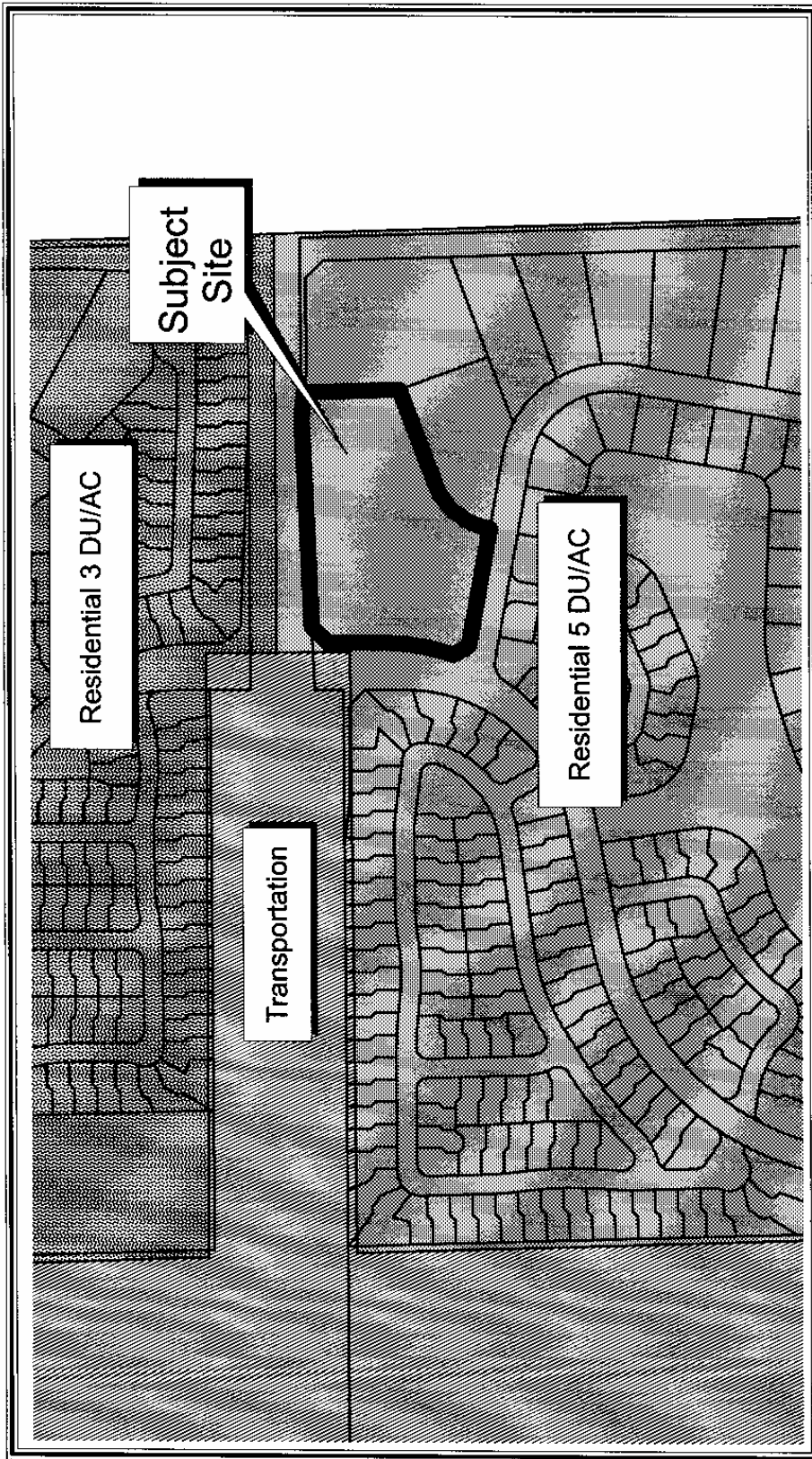
[Signature]
CITY CLERK

DEVELOPMENT SERVICES DEPARTMENT

HAS TO CERTIFY THAT THIS PLAN HAS BEEN APPROVED AND ACCEPTED BY THE DEVELOPMENT SERVICES DEPARTMENT OF THE TOWN OF DAVID, BROWARD COUNTY, FLORIDA.

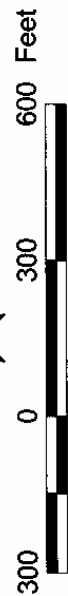
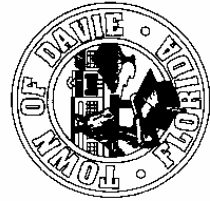
[Signature]
DIRECTOR





DELEGATION REQUEST
DG 6-2-03
Future Land Use Map

Prepared By: rkm
 Date Prepared: 6/16/03



Planning & Zoning Division - GIS



DELEGATION REQUEST **DG 6-2-03** **Zoning and Aerial Map**

Prepared By: rkm
 Date Prepared: 6/16/03



Date Flown:
 12/31/00



400 0 400 800 Feet

Planning & Zoning Division - GIS